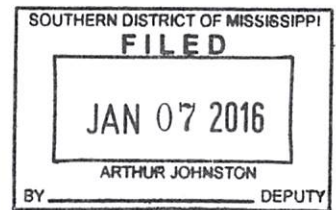


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI



VAUGHN PERRET  
CHARLES LEARY  
TROUT POINT LODGE, LTD, A Nova  
Limited Company

PLAINTIFFS

v.

Civil Action No. 1:16cv7LG-RHW

DOUGLAS HANDSHOE

DEFENDANT

**DEFENDANT'S NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1441 *et seq.*, Defendant, Douglas Handshoe, files this Notice of Removal of the Civil Action filed against him by Plaintiffs, Vaughn Perret, Charles Leary and Trout Point Lodge, Ltd, and states as follows.

1. On December 9, 2015, Plaintiffs' filed their Petition to Enroll Foreign Judgment in the lawsuit styled Vaughn Perret, Charles Leary and Trout Point Lodge Ltd, Civil Action No. 15-0458 in the Circuit Court of Hancock County, Mississippi.
2. The Defendant, Douglas Handshoe, was served with notice of such filing on December 10, 2015.
3. Removal is proper under 28 U.S.C. § 1441 and § 4103 because Plaintiffs' suit involves diverse parties and a Federal question. Additionally this court has supplemental jurisdiction as certain of the claims involve claims that were previously decided by this Court in the case styled *Trout Point Lodge et al v Handshoe*. Specifically, Plaintiffs have alleged defamation via Internet by Defendant in securing rendition of foreign judgments<sup>1</sup>

<sup>1</sup> Plaintiffs, with the assistance of Nova Scotia Supreme Court and over the objection of defendant Handshoe, essentially bifurcated an amended Civil Action post judgment between the defamation torts Plaintiffs' had

against Defendant in the Supreme Court of Nova Scotia, Canada on or about February 26, 2014 in the civil action styled Trout Point Lodge Ltd., Charles Leary & Vaughn Perret v Douglas Handshoe reasserting claims previously before both the Nova Scotia Courts and this Court.<sup>2</sup> Additionally, the subject of the enforceability of the exact Canadian Judgement is currently before this Court pursuant to the SPEECH Act of 2010 in the case styled *Handshoe v Perret et al*, Civil Action number 1:15cv382-HSO-JCG filed November 16, 2015.

4. Venue is proper in this district under 28 U.S.C. § 1441 (a) because the State Court where the action has been pending is located in this district.
5. This Notice is being filed with this Court within Thirty (30) days after Defendant received a copy of the Plaintiffs' initial pleading, Petition to Enroll Foreign Judgment.
6. Defendant would further show that true and correct copies of all process, pleadings and orders filed to date in the above State Court action served upon Defendant on December 10, 2015 are attached hereto as Exhibit "A"; and that no other process, pleadings or orders have been served upon Defendant to date in this action.
7. Defendant files this Notice without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiffs' above described foreign judgment can be enrolled or enforced.
8. Defendant is filing contemporaneously with this Notice, a Notice of Filing Notice of Removal with the Clerk of the Circuit Court of Hancock County, Mississippi, informing

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previously successfully argued in Nova Scotia were integral to the copyright torts alleged in their amended action. Plaintiffs now attempt to enroll only a portion of the whole in an attempt to defeat the requirements of 28 U.S.C. §§ 4101 et seq.

<sup>2</sup> The Copyrights purportedly belonging to the Ashoka Foundation being a part of both sets of proceedings.

the Honorable Clerk that this action is being removed. A copy of said Notice of Filing Notice of removal is attached as Exhibit "B".

Defendant prays that this Court take jurisdiction of this action to its conclusion, to the exclusion of any further proceedings in the State Court in accordance with the law. Defendant also prays for such other and further relief to which he may be justly entitled.

Respectfully submitted this 7<sup>th</sup> day of January,  
2016,



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G. GERALD CRUTHIRD  
Of Counsel for the Defendant Douglas Handshoe  
Attorney At Law  
Post Office Box 1056  
Picayune, MS 39466  
Telephone: (601) 798-0220  
Mississippi Bar No. 7920

**CERTIFICATE OF SERVICE**

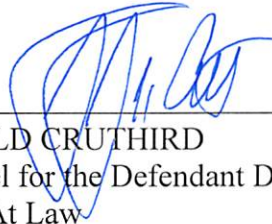
I, G. Gerald Cruthird, certify I have sent a true and correct copy of the foregoing Notice of Removal to the following via United States Mail:

Kenneth O'Cain, Esq.  
567 Highway 51, Suite C  
Ridgeland, MS 39157  
Attorney for Plaintiffs

I, G. Gerald Cruthird, certify I have hand delivered a true and correct copy unto:

Honorable Karen Ladner Ruhr  
Circuit Clerk of Hancock County, Mississippi  
152 Main Street, Suite B  
Bay St Louis, MS 39520

Respectfully submitted this 7<sup>th</sup> day of January,  
2016,



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G. GERALD CRUTHIRD  
Of Counsel for the Defendant Douglas Handshoe  
Attorney At Law  
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